



## State Representative Lois McMahan

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#### Election year restrictions:

Please remember when writing me that if you would like a written response, please specify so. I am under election-year mailing restrictions which, except for two newsletters, does not allow me to otherwise initiate correspondence without a specific request. So please ask! Thank you!

# 2004 Session-End Report

District 26 • Serving Gig Harbor, Key Peninsula, Olalla, Purdy, Burley, Port Orchard, Southworth & Bremerton



## State Representative Lois McMahan

Dear Friends and Neighbors,

The 2004 legislative session which ended March 11 after 60 days in Olympia turned out to be a positive session in many ways for the citizens of the 26<sup>th</sup> District and the state of Washington.

We passed a supplemental operating budget that extends business tax credits to **provide jobs**.

We approved a transportation budget that moves up construction of the Burley-Olalla interchange and provides improvements to the Southworth ferry terminal.

**Additional property tax relief** was provided for low-income senior citizens and people who are retired with disabilities.

There was a tiny bit of movement on tort liability reform, although more should have been done.

The highlight of the session was the passage of the **2004 Child Protection Act**, House Bill 2400, which **toughens the law against child rapists and molesters** and stands as a testament to the power of citizen involvement.

Another measure that passed the Legislature this year was a bill requiring school districts to reveal **to law enforcement and to other school districts** substantiated reports of sexual improprieties of teachers and coaches.

This newsletter provides a brief review of these and other issues we considered and debated during the 2004 legislative session.

**I would like to thank all of you** who contacted my office through cards, letters, phone calls and e-mails. **A special thanks** to those of you who took time out of your busy schedule to come to Olympia to see me, provided information and testified in committee. It made a tremendous amount of difference in helping advance our legislation.

**Please remember that I work for you throughout the entire year**, not just when the Legislature is in session. Feel free to contact me at any time with your thoughts, concerns and questions.

Joyfully serving you,

Lois McMahan  
State Representative

# Representative Lois McMahan

## House Bill 2400 - The miraculous passage of a bill

Late in 2003, Jim Hines of Gig Harbor contacted me and told me the story of his neighbor Theresa Gibbs and her young daughter. Theresa's daughter had been raped by Theresa's ex-fiancé. He served only six months in the county jail before being released back into the community under terms of what is known as SSOSA (Special Sex Offender Sentencing Alternative).

Under SSOSA, courts can give child rapists and molesters treatment instead of prison time. *We found that many child rapists were getting SSOSAs and returned to the community where they were again terrorizing their victims.*

In response, I introduced House Bill 2400, the Child Protection Act of 2004, which originally would have eliminated SSOSA by providing **mandatory minimum sentences** for sex predators of children.

The bill was sent to the House Criminal Justice and Corrections Committee to die because the chair of that committee did not intend to give it a hearing. ***Believing that this issue was too important to let it die even for one year,*** I asked our staff to help me reach out to the public through press releases and talk radio. They worked tirelessly with me to provide these opportunities and take our case to the public. ***You, the citizens, played a crucial part in every step of HB 2400's passage.***

After our initial appeal to the public, the committee chairman scheduled a hearing – only after the cut-off for bills to leave the committee. ***We went to the public again,*** asking you to thank the chair for scheduling a hearing and asking him to move to bring it to the floor.

At the hearing, we heard heart-wrenching testimony – so much that the bill passed out of the committee **unanimously**. It was then sent to the House Appropriations Committee, as we suspected, to die. Jim Hines and his group contacted Tennis Shoe Brigade founder Helen Harlow, who reactivated the Brigade, which more than a decade ago had convinced lawmakers to pass sweeping sex offender laws after dumping thousands of tennis shoes on the state Capitol steps. Within two weeks, the Tennis Shoe Brigade collected hundreds of tennis shoes (representing the innocence and vulnerability of children) and brought them to Olympia with the message: "Pass HB 2400."



***Gov. Gary Locke signs House Bill 2400 into law. Witnessing the signing were (from left): Jim Hines, Theresa Gibbs, Helen Harlow, Rep. Al O'Brien, and Rep. Lois McMahan.***

### **The grassroots effort convinced lawmakers to move the bill.**

Although the original bill was significantly changed, ***the final measure we worked out with the chair and the Senate struck at the heart of the problem – SSOSA.*** The legislation signed by the governor makes offenders ineligible for SSOSA if they have committed a violent offense in the last five years, caused harm to their victim, or do not have an established relationship with the victim. It requires the court to give "great weight" to the victim's recommendations about whether or not the suspended sentence with SSOSA should be given and to state in writing the reasons if that recommendation is not followed. It also requires the terms of the sentence to be evaluated if the SSOSA agreement is violated, and upon *a second violation, requires the suspended sentence to be revoked and the rest of the sentence served in prison.*

HB 2400 was essentially dead. However, because of the efforts of victims and their families and the untiring support of citizens, this legislation not only came back to life, but passed the Legislature and was signed by the governor. It is truly a testimony to the fact that when the public is engaged, positive things happen. ***The new law is a big step toward providing justice for victims and further protections for children.***

# 2004 Session-End Report

## Helping businesses grow jobs, preserve health benefits

To preserve existing jobs and help businesses grow to provide new jobs, we renewed tax credits for high-tech research and development companies. We also approved a small business health insurance bill to help businesses that have struggled with high insurance premiums to continue offering health benefits to their employees under a no-frills plan. Although these are positive steps for businesses, we also need to do more in the future to make Washington a business-friendly state.



## Transportation budget moves up Burley-Olalla, provides ferry terminal improvements

Senator Bob Oke and I each introduced legislation in the Senate and the House *to move up construction of the Burley-Olalla interchange for completion before the opening of the second Narrows Bridge in 2007*. The construction date had been set for 2010. Although our bills died in the House, the transportation budget takes a small step toward moving up completion of this vital project by one year to 2009. ***We will continue to push in the next session for further advancement of the project completion date.***

The transportation budget also provides funding for *improvements to the Southworth ferry terminal to allow for passenger-only ferry service* intended to begin in the next two years.

## Charter schools legislation adopted

The Legislature moved forward on a bill to create charter schools, which would be independent from many state regulations. The measure allows the opening of 45 new charter schools over the next six years. An amendment I offered and which was accepted would allow an elected public school board to have one of its members serve on each charter school board as a non-voting ex-officio member. *This would provide the supervision from elected school board members some are legitimately concerned about.*



## If at first you don't succeed. . .

The Legislature approved a measure that gives students up to four chances to pass the Washington Assessment of Student Learning (WASL) test. Under the measure, students must retake only the sections they did not successfully complete.

The legislation also allows students with individual education plans (IEPs) to graduate with a Certificate of Completion upon completion of those plans. These are only two of the ongoing efforts to provide more flexibility ***to help students with differing needs*** meet the present system of requirements for high school graduation.

## Senior citizen tax relief provided

This year, I supported and we passed legislation that increases the maximum income eligibility for seniors and retired people with disabilities to receive exemptions from a portion of their property tax bills. The measure adds at least \$5,000 to each of the three income thresholds for which some level of property tax relief is available. *The top income threshold will be \$35,000. It also allows seniors to deduct Medicare insurance premiums from disposable income counted under the threshold.*



## Giving cosmetologists make-up time

Last summer, our office started hearing from cosmetologists who were having a hard time renewing their licenses because of changes made to the licensing laws which became effective in July. The cosmetologists were not notified of the changes. We prepared a bill to give cosmetologists who held a license between June 30, 1999 and June 30, 2003 *until July 1, 2005 to renew their licenses without going through new training and examination requirements*. It also requires the Department of Licensing to notify license holders of changes in the law. Senator Oke agreed to offer the same bill in the Senate. It was the Senate bill which passed.

## Replacing the blanket primary

When the courts threw out Washington's blanket primary election system after the state's political parties sued, the Legislature faced a decision: a primary ballot that looked like past primary ballots or a general election ballot that looked like past general election ballots. The Legislature adopted a measure that was the "Louisiana Plan" with a "Montana Plan" as back-up. The governor ended up vetoing the "Louisiana Plan" and leaving the "Montana Plan" in place. This fall, primary voters will ***privately*** pick a single party's ballot and choose only among that party's candidates. ***The general election ballot will look the same as we are used to.***





# Representative Lois McMahan

## Future projects: Medical malpractice and liability reforms

A sweeping tort reform package placing limits on lawsuits and caps on non-economic damages passed the Senate. **Real losses and damages would still be fully compensated under the proposal.** We were hoping to vote on it in the House. Instead, the House majority party responded by passing legislation which would do very little to help alleviate out-of-control lawsuits and skyrocketing malpractice insurance premiums. Real help is needed not only by doctors and hospitals, but also by the construction industry, businesses, counties and cities.



Small gains were made. Lawsuits charging that a restaurant or fast-food outlet caused obesity will be blocked. Another measure reduces tort judgment interest rates defendants pay when they lose an appeal. (Those interest rates have been 12 percent for the past decade. The new

law will tie them to a rate that is 2 percent above the 26-week Treasury Bill rate.) Another bill, Senate Bill 6600 (I prime-sponsored the House version), will exempt third parties on construction sites from liability that has nothing to do with their jobs.

We are still far short of the malpractice and liability reforms needed by our state. I remain concerned that we will lose more health-care providers, that more businesses will be forced out of the state, and that taxpayers will pick up the tab for increased costs and for frivolous lawsuits against cities and counties. This is an important issue that must be addressed in the 2005 session.



**Anthony  
James**



**Lacey  
McLean**



**Suzette  
Grubbs**

## Page program offers legislative experience, education for young people

I would like to thank Anthony James of Belfair, Lacey McLean of Gig Harbor, and Suzette Grubbs of Port Orchard, who served as legislative pages in my Olympia office.

Pages duties vary from ceremonial tasks such as presenting flags to practical chores like delivering messages and documents to legislators in their offices, committee meetings or the House chamber during floor sessions. Pages also spend two hours each day in a classroom setting learning about the legislative process.

If you are a student (or know one) who is at least 14 and have not yet reached your 17<sup>th</sup> birthday and hold a grade-point average of C+ or better, you might be eligible to become a page in the 2005 legislative session. For more information and an application, go online to: <http://www.leg.wa.gov/house/hadm/pageprog.htm> or contact my office at 253-851-5647. Thank you.

**2004  
Session-End  
Report**

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